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IN THE UNITED STATES DISTRICT COURT
6
FOR THE DISTRICT OF ARIZONA
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9 John Harry Allen,) No. CV 04-02795 PHX NVW (JCG)
10 Petitioner,) **ORDER**
11 v.)
12 Meg Savage, et al.,)
13 Respondents.)
14 _____)

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16 Pending before the court is the Report and Recommendation (“R&R”) of Magistrate
17 Judge Jennifer C. Guerin (doc. #12) regarding petitioner’s Petition for Writ of Habeas
18 Corpus filed pursuant to 28 U.S.C. § 2254 (doc. # 1). The R&R recommends that the court
19 dismiss the Petition. The magistrate judge advised the parties that they had ten days to file
20 objections to the R&R. (R&R at 5 (citing 28 U.S.C. § 636(B))).

21 The parties did not file objections, which relieves the court of its obligation to review
22 any of the magistrate judge’s determinations in the R&R. *See* 28 U.S.C. § 636(b)(1);
23 Fed. R. Civ. P. 72(b); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003);
24 *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (“[Section 636(b)(1)] does not . . . require any
25 review at all . . . of any issue that is not the subject of an objection.”). The court has
26 nonetheless reviewed the R&R and finds that it is well taken. The court will accept the R&R
27 and dismiss the Petition. *See* 28 U.S.C. § 636(b)(1) (stating that the district court “may
28 accept, reject, or modify, in whole or in part, the findings or recommendations made by the

1 || magistrate”).

2 **IT IS THEREFORE ORDERED** that Report and Recommendation of Magistrate
3 Judge Guerin (doc. # 12) is accepted.

4 **IT IS FURTHER ORDERED** that the Petition for Writ of Habeas Corpus filed
5 pursuant to 28 U.S.C. § 2254 (doc. # 1) is dismissed, and the clerk is directed to terminate
6 this case.

7 DATED this 4th day of December 2006.

Neil V. Wake
Neil V. Wake
United States District Judge